

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL NO. 1456

THIS DOCUMENT RELATES TO:

Master File No.: 01-12257-PBS  
Judge Patti B. Saris  
Civil Action No. 04-cv-12264

THE CITY OF NEW YORK,

Plaintiff,

No. 1:04-cv-06054-BSJ-KNF

v.

ABBOTT LABORATORIES, INC., *et al.*,

Defendants.

**NOTICE OF APPEARANCE FOR DEFENDANT  
ETHEX CORP., ADMISSION *PRO HAC VICE***

The following submission for admission *pro hac vice* is made pursuant to Case Management Order No. 1, section V., paragraph 16.

Attached is an Affidavit of Good Standing in support of application for admission *pro hac vice* of Robert S. Litt as counsel for ETHEX Corp. in this action.

Dated: January 7, 2005  
Washington, D.C.

Respectfully submitted,

  
ROBERT S. LITT

ARNOLD & PORTER LLP  
555 12th Street, N.W.  
Washington, D.C. 20004  
(202) 942-5000 (telephone)  
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*Attorneys for defendant ETHEX Corp.*

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THE CITY OF NEW YORK,

Plaintiff,

No. 1:04-cv-06054-BSJ-KNF

v.

ABBOTT LABORATORIES, INC., *et al.*,

Defendants.

**AFFIDAVIT OF GOOD STANDING OF**  
**ROBERT S. LITT IN SUPPORT OF ADMISSION *PRO HAC VICE***

I, Robert S. Litt, hereby certify pursuant to Case Management Order No. 1, entered in the above captioned action that:

1. I am a partner with the firm of Arnold & Porter LLP, attorneys for ETHEX Corp. in the above captioned action.
2. I am a member in good standing of the bar of the United States District Court for the District of Columbia.
3. I have never been the subject of a professional disciplinary proceeding.

  
Robert S. Litt

Dated: January 7, 2005

**United States District Court  
for the District of Columbia  
CLERK'S OFFICE  
333 Constitution Avenue, NW  
Washington, DC 20001**

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I, **NANCY M. MAYER-WHITTINGTON**, Clerk of the United States  
District Court for the District of Columbia, do hereby certify that:

**ROBERT S. LITT**

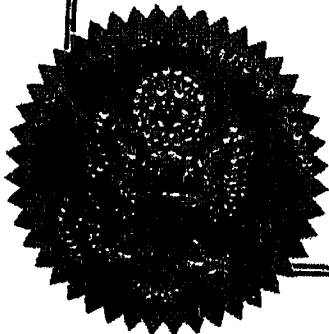
was, on the 2<sup>nd</sup> day of July A.D. 1984 admitted to practice as an Attorney  
at Law at the Bar of this Court, and is, according to the records of this Court, a  
member of said Bar in good standing.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court  
in the City of Washington this 6<sup>th</sup> day of January, A.D. 2005.

**NANCY M. MAYER-WHITTINGTON, CLERK**

By: \_\_\_\_\_

*Sherry L. Horn*  
Deputy Clerk



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was delivered on March 21, 2005, to all counsel of record by electronic service pursuant to the Court's Case Management Order No. 2.

/s/ Scott A. Birnbaum  
Scott A. Birnbaum